

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Charles Blackwell

Plaintiff, Pro Se

v.

CITY OF INKSTER, Municipal Corporation,
PATRICK ANDRE WIMBERLY,
individually and in his official capacity
as Inkster Mayor

Defendants

**COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF AND NOMINAL
DAMAGES**

JURY TRIAL DEMAND REQUESTED

1. Plaintiffs bring this First Amendment action to challenge an unconstitutional policy and practice imposed by the city of Inkster's governing body, police department, and mayor to prohibit or impede individuals from engaging in political speech or advocacy on the City of Inkster Police Department Facebook Page and the Mayor's municipal Facebook page which is a designated or limited public forum subject to constitutional free speech protection.
2. Plaintiffs contend that the challenged policy violates the First Amendment's freedom of speech and right to petition clauses, both facially and as applied to the Plaintiff. Accordingly, Plaintiff seek declaratory and injunctive relief to invalidate and bar

enforcement of the policy, as well as nominal damages for the infringements committed by Defendants on March 19th, 2021.

3. In *Knight First Amendment Institute at Columbia Univ., et al. v. Donald J. Trump, et al.*, No. 18-1691, 2019 WL 2932440 (2d Cir. July 9, 2019), the court unanimously affirmed a district court judgment holding that President Trump violated the First Amendment when he blocked from his Twitter account certain people whose viewpoints, he did not like. The Defendant is engaging in the same viewpoint based discriminatory practices against the Plaintiff.

PARTIES

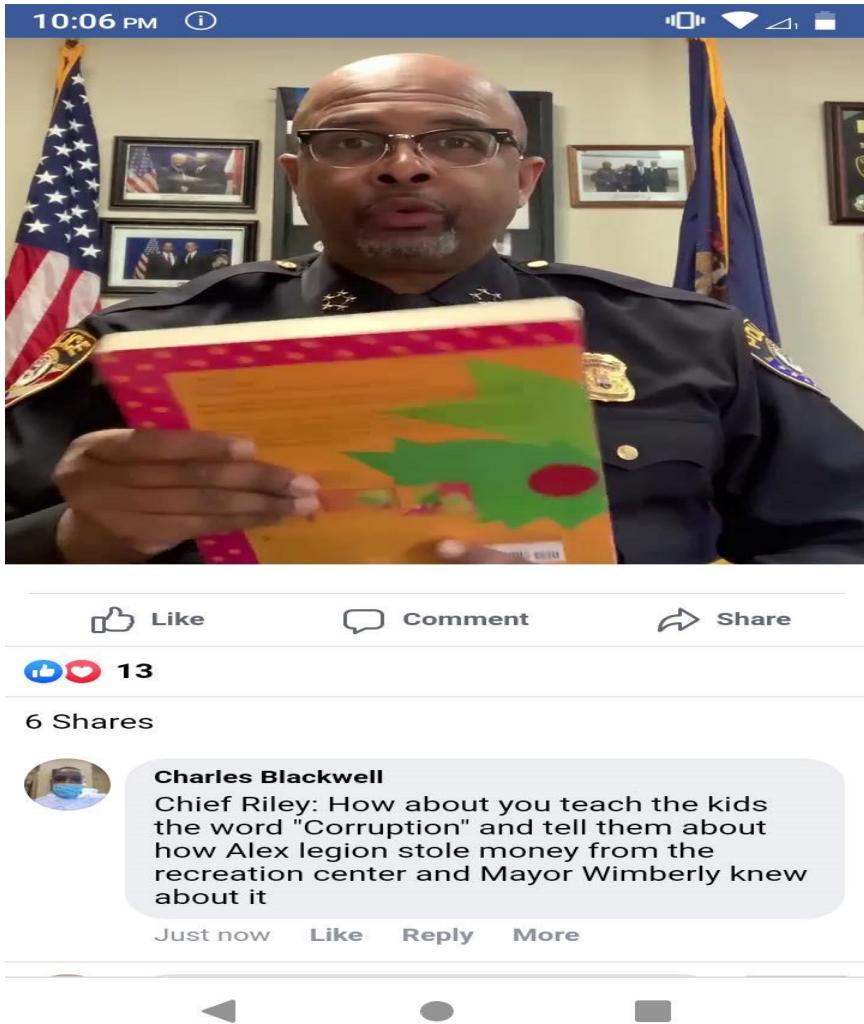
4. Plaintiff, Charles Blackwell, is a resident in the Eastern District of Michigan and activist who tackles corruption, transparency, and open government issues with multiple municipalities in the Metro Detroit area.
5. Defendant, City of Inkster, is a state-chartered municipal corporation which exercises local governance.
6. Defendant, Patrick Andre Wimberly, is the Mayor of Inkster and the executive head and chief administrative officer of the city.

JURISDICTION AND VENUE

7. Plaintiffs bring this action under the First and Fourteenth Amendments to the United States Constitution and 42 U.S.C. § 1983, seeking declaratory and injunctive relief and nominal damages. The Court has subject-matter jurisdiction over the federal claims under 28 U.S.C. §§ 1331 and 1343.
8. Venue is proper pursuant to 28 U.S.C. § 1391(b) because the Defendants reside within this judicial district and all claims asserted by Plaintiffs arose within this judicial district.

FACTUAL ALLEGATIONS

- 9.** There is an active and current corruption and embezzlement investigation being conducted by the City of Inkster Police Department involving allegations that the former City of Inkster recreation director Alex Legion embezzled City of Inkster recreation revenue for his own personal use and benefit. (**See Exhibit A: Alex Legion Police Report**)
- 10.** In fact, the City of Inkster Parks and Recreation Commission was so alarmed by the corruption of former recreation director Alex Legion and the city's handling of the investigation, they voted to send a letter to Inkster City Council calling for an independent investigation. (**See Exhibit B: Inkster Parks and Rec Commission Request**)
- 11.** In such letter to Inkster City Council, the Inkster Parks and Recreation Commission stated that if the City Council failed to act, they would be contacting the FBI with "our suspicion of collusion, corruption, running a criminal organization of city hall, and misuse of public funds."
- 12.** So not only did the Plaintiff have genuine and legitimate concerns of corruption taking place at the Inkster Recreation Department and Inkster City Hall, but the Inkster Parks and Recreation Commission which is a public body shared those same concerns.
- 13.** On or about March 18th, 2021 Plaintiff commented on a post on the City of Inkster Police Department in which Inkster Police Chief William Riley was speaking and reading a children's book in a posted video onto the Defendant's Facebook page which is a public forum.



14. Plaintiff then commented, considering the Alex Legion investigation and corruption scandal, “Chief Riley: How about you teach the kids the word “Corruption” and tell them about how Alex Legion stole money from the recreation center and Mayor Wimberly knew about it.”

15. On or about March 19th, 2021 Plaintiff went again to the Defendant City of Inkster Police Department Facebook page and noticed the Plaintiff comment had been deleted, Plaintiff had been blocked or impeded from commenting on further posts on the page and

prohibited from sending direct messages or messages to the inbox of the City of Inkster Police Department Facebook page.

16. In (**Attached Exhibit C: Police Department Blocked Post**), on the left-hand side is the Plaintiff restricted privileges of not being able to comment on or “Like” Facebook post by the Defendant’s City of Inkster Police Department Facebook page which is a public forum. On the right-hand side, is the privileges of all other Facebook users who have not been blocked or restricted such as the Plaintiff who then can comment and participate in the Defendant City of Inkster Police Department Facebook page and public forum.

17. In (**Attached Exhibit D: Police Department Blocked Access**), on the left-hand side is the Plaintiff restricted privileges of being blocked and prohibited from sending the Defendant City of Inkster Police Department a “direct message” or sending the Defendant City of Inkster Police Department a private message to their Facebook inbox. On the right-hand side, is the privileges of all other Facebook users who have not been blocked or restricted by the Defendant who has the access to send direct messages to the Defendant City of Inkster Police Department Facebook page.

18. As a result, Plaintiff Blackwell is blocked from further expressing his intended comments, ideas or expression on the Defendant Facebook page which is a public forum.

19. The Defendant, City of Inkster Police Department Facebook Page which include a social media policy in the “About” section of the page which states the “The City of Inkster reserves the right at our sole discretion to block users or remove comments if the content posted promotes private businesses, political affiliations, ideologies or positions, or any other third-party advertisements, sales or promotions;” (**See attached Exhibit E: City of Inkster Police Department Social Media Policy**)

20. The Defendant official established policy to block social media users or remove comments based on the content of political affiliations, ideologies or positions in a public forum infringes upon the Plaintiff First Amendment rights and against our democratic principles.

21. Defendant Patrick Andre Wimberly while acting under the color of the law maintains, operates, and post on the Facebook page “Patrick Wimberly-Mayor City of Inkster”. Such page is also a designated or limited public forum and subject to First Amendment protection.

22. Plaintiff has commented on Defendant Patrick Andre Wimberly Facebook page “Patrick Wimberly-Mayor City of Inkster” critical comments about the Alex Legion investigation as well and have been blocked and restricted from commenting, posting, and messaging this interactive page in the exact same manner as the Plaintiff has been blocked by the City of Inkster Police Department Page.

23. In (**Attached Exhibit F: Mayor Wimberly Blocked Post Comparison**), on the left-hand side is the Plaintiff restricted privileges of not being able to comment, post, or “Like” Facebook post by the Defendant Patrick Andre Wimberly which is a public forum. On the right-hand side, is the privileges of all other Facebook users who have not been blocked or restricted such as the Plaintiff who then can comment, post and participate in the defendant Patrick Andre Wimberly Facebook page and public forum

24. In (**Attached Exhibit G: Mayor Wimberly Blocked Access Comparison**), the top picture is the Plaintiff restricted privileges of being blocked and prohibited from sending the Defendant Patrick Andre Wimberly a “direct message” or sending Defendant Wimberly a private message to their Facebook inbox. The bottom picture, is the

privileges of all other Facebook users who have not been blocked or restricted by Defendant Patrick Andre Wimberly who has the access to send direct messages to the Defendants page of “Patrick Wimberly-Mayor City of Inkster”

COUNT I: VIOLATION OF THE FIRST AND FOURTEENTH AMENDMENTS (42

U.S.C. § 1983)

- 25.** Plaintiffs incorporate by reference all preceding paragraphs as though fully set forth herein.
- 26.** In creating and maintaining the City of Inkster Police Department Facebook page, the Defendant have created and established a designated or limited public forum.
- 27.** Defendants have no compelling interest to justify the content-based or viewpoint-based suppression of Plaintiffs’ speech about public corruption by a public official which is a public issue and concern.
- 28.** In prohibiting Plaintiff public discussion of corruption by a public official, Defendants’ ban on political speech and advocacy is both facially content-based and targeted specifically against the type of speech invoking greatest constitutional protection.
- 29.** Because all speech presented as public comment to a political governing body can, by its very nature and purpose, be classified to comprise political speech or advocacy, Defendants’ policy of banning speech upon the basis such classification is unconstitutionally vague and naturally given to arbitrary and discriminatory application.
- 30.** In proscribing all political speech and advocacy generally, Defendants’ policy sweeps far beyond the necessary scope of any conceivably legitimate state interest it aims to further.

31. By specifically prohibiting the right of public commenters to avail themselves of the opportunity to engage in advocacy when presented with a government audience, Defendants' policy facially infringes the First Amendment's right to petition clause.

32. Defendants acted to pretextually deprive Plaintiffs of their First Amendment rights in order to suppress the Plaintiff critical viewpoint.

COUNT II

**DEFENDANT PATRICK ANDRE WIMBERLY VIOLATION OF FIRST AND
FOURTEENTH AMENDMENTS (42 U.S.C. § 1983)**

33. Plaintiffs incorporate by reference each preceding paragraph as if fully stated herein.

34. Defendant Patrick Andre Wimberly, when acting under the color of the law and using Facebook Page "Patrick Wimberly-Mayor City of Inkster", has created a public forum opened for use by the public as a place for expressive activity

35. Defendant Wimberly has no compelling interest to justify the content or viewpoint-based suppression of the Plaintiffs' speech on the Defendants' Facebook page about the issue of public corruption.

36. By specifically prohibiting the right of public commenters to avail themselves of the opportunity to engage in advocacy when presented with a government audience, through the Facebook platform, Defendants' policy facially infringes the First Amendment's right to petition clause.

37. In prohibiting public discussion of an entire topic, Defendant Wimberly ban on political speech and advocacy against public corruption and misuse of public funds is both facially content-based and targeted specifically against the type of speech invoking greatest constitutional protection.

38. Because the First Amendment protection of political speech by the public was clearly established at the time of these injuries, Defendant Wimberly is not entitled to qualified immunity. Nor could the Plaintiff reasonably have assumed that contractually conspiring with a third party to deprive a clearly established right would change its clearly established status.

39. In fact, Plaintiff emailed the City of Inkster City Attorney's David Jones and Matthew Wayne on March 1st, 2021 informing them the Plaintiff intended to comment and interact on government official's social media pages and that these pages were afforded First Amendment protection. (**See Attached Exhibit H: Plaintiff March 1st email to City Attorney**)

40. Considering the First Amendment was well established and considering the Plaintiff March 1st, 2021 email to the City of Inkster City Attorney, the Defendants actions were not reasonable.

COUNT III

DEFENDANT, CITY OF INKSTER'S, "MONELL" LIABILITY

41. Plaintiffs incorporate by reference each preceding paragraph as if fully stated herein.

42. Defendant, CITY OF INKSTER, created policies, practices and customs, as set forth above, which demonstrated "deliberate indifference" to the constitutional rights of its citizens, and was the moving force behind the individual Defendants' violations of Plaintiffs' constitutional rights.

43. In *Monell v. Department of Social Services*, 436 U.S. 658 (1978), the Supreme Court held that a municipality (or other local government unit) can be liable under 42 U.S.C. § 1983

if an "action pursuant to official municipal policy of some nature caused a constitutional tort

44. As a direct and proximate result of the Defendants willful violation of Plaintiffs' constitutionally protected rights, Plaintiff was deprived of his liberty, causing them to suffer the injuries and damages set forth above.

45. This is an official municipal policy or custom adopted by the Defendant and its police department. This policy is posted in the "About" section of the Defendants Facebook page and instructs users to "Please read before posting".

46. The Inkster Police Department Facebook page policy even uses the language "The City of Inkster Reserves the right, at our sole discretion". Which means this is an official municipal policy of the Defendant as a municipality rather than the individual actions of the Defendant agents or employees.

47. These customs, practices, and/or policies included, but were not limited to, the following:

- a. Failing to adequately train and/or supervise its employees and agents so as to prevent violations of citizens' constitutional rights.
- b. Failing to adequately train and/or supervise its employees and agents regarding the constitution and the public's right to free speech in a public forum.

48. Defendant conduct was reckless because constitutional rights to free speech in a public forum was clearly established at the time of the Plaintiff injuries.

49. As a proximate result of the violations and/or deprivations of Plaintiff's constitutional rights by Defendant's, Plaintiff has a viable claim for compensatory and punitive damages pursuant to 42 U.S.C. § 1983 together with costs, interests, and damages as set forth in 42 U.S.C. § 1988.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court enter an award in his favor and against Defendants in an amount in excess of Seventy-Five Thousand Dollars (\$75,000.00) exclusive of interest, costs, and damages.

REQUEST FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that the Court:

- a. Declare that Defendants' policy and practice of blocking, restricting, and impeding citizens from commenting or posting on Facebook while engaging in political speech or advocacy violates the First and Fourteenth Amendments facially and as applied to Plaintiff.
- b. Provide preliminary and permanent relief barring enforcement of the above-referenced policy
- c. Grant other and further relief as the Court deems just and equitable.

Respectfully Submitted,

/s/ Charles Blackwell

Charles Blackwell
2976 Cortland
Detroit, MI, 48206
313-739-3597
Cblack618@gmail.com

EXHIBIT A: Former Inkster Recreation Director Alex Legion Embezzlement Police

Report

CR No: 210001957-001	Report Type: Crime Report	Officer: INSNYDERC (01765)	001
INKSTER POLICE DEPARTMENT 26279 MICHIGAN AVENUE INKSTER MI 48141 313-563-9860			
 Case Report			
Administrative Details:			
CR No 210001957-001	Subject 2704 - Embezzlement - Public Property (Federal, State, or City Property) [27000]		
Report Date/Time 02/06/2021 19:00	Occurrence Date/Time 02/06/2021 19:00		
Location 2025 MIDDLEBELT RD	Cell Source PHONE		
Dispatched Offense 2799 Embezzlement (Other)	Verified Offense 2704 Embezzlement - Public Property (Federal, State, or City Property)		
County 82 - Wayne	City/Twp/Village 84 - Inkster		
Division Patrol	Victim City of Inkster (35939904)		
Report Type Crime Report	Created Date/Time 02/06/2021 07:02 PM		
Created By COREY SNYDER	Verified Date/Time 02/06/2021 07:52 PM		
Verified By SYSTEM	Approved Date/Time 02/06/2021 07:52 PM		
Approved By COREY SNYDER			

CR No: 210001957-001	Report Type: Crime Report	Officer: INSNYDERC (01765)	001
Offenses:			
2704 - Embezzlement - Public Property (Federal, State, or City Property) [INSNYDERC (01765)]			
IBR Code / IBR Group 270 - Embezzlement / A	Offense File Class: 27000 - EMBEZZLEMENT		
Crime Against PR	Location Type 88 - Exercise/Fitness/Recreational Facility	Offense Completed Completed	
Domestic Violence No	Hate/Bias 00 - None (No Bias)		
Using A-Alcohol: No C-Computer Equipment: No D-Drugs/Narcotics: No	Cargo Theft No		

People:						
LEGION, ALEX CHARLES (S-SUSPECT) [INSNYDERC (01765)]						
Last Name Legion	First Name Alex	Middle Name Charles	Suffix	Mr/Mrs/Ms		
Aliases		Driver License# L250044115878	DL State MI	DL Country	Personal ID#	
DOB (Age) 11/16/1988 (32)	Sex M	Race BLACK/AFR	Ethnicity Unknown	Birth City & State	Birth Country	Country of Citizenship
		ICAN	AMERICAN			
Street Address 29158 Carlton		Apt #	County	Country	Home Phone UNKNOWN	Work Phone
City Inkster		State MI	Zip 48141	Cell Phone	Email	

(V-VICTIM) [INSNYDERC (01765)]						
Victim Type G - Government	Victim of 2704 - Embezzlement - Public Property (Federal, State, or City Property)					
PE: W.Type: Name City of Inkster	Suffix					Mr/Mrs/Ms
DOB (Age) NA	Sex NA	Race NA	Ethnicity NA	Birth City & State NA	Birth Country NA	Country of Citizenship NA
Street Address 26215 Trowbridge		Apt #	County	Country	Home Phone	Work Phone
City Inkster		State MI	Zip 48141	Cell Phone	Email	
Victim Injury						

JONES, DWAYNE EDWARD (O-OTHER) (X-MISCELLANEOUS) [INSNYDERC (01765)]						
PE: W.Type: Last Name Jones	First Name Dwayne	Middle Name Edward	Suffix	Mr/Mrs/Ms		
Aliases		Driver License# J520157189280	DL State MI	DL Country	Personal ID#	
DOB (Age) 04/10/1989 (51)	Sex M	Race UNKNOWN	Ethnicity Unknown	Birth City & State	Birth Country	Country of Citizenship
Street Address 4015 Durand Ct		Apt #	County	Country	Home Phone UNKNOWN	Work Phone
City Inkster		State MI	Zip 48141	Cell Phone	Email	

WINBERLY, PATRICK ANDRE (O-OTHER) (R-REPORTED BY) [INSNYDERC (01765)]						
PE: W.Type: Last Name	First Name	Middle Name	Suffix	Mr/Mrs/Ms		

CR No: 210001957-001			Report Type: Crime Report			Officer: INSNYDERC (01765)			001
Wimberly			Patrick			Andre			
Aliases			Driver License# W516676067207		DL State MI	DL Country	Personal ID#		
DOB (Age)	Sex	Race	Ethnicity		Birth City & State	Birth Country	Country of Citizenship		
03/19/1974 (46)	M	BLACK/AFR	Unknown						
		ICAN							
		AMERICAN							
Street Address 1725 Kenwood			Apt #	County	Country		Home Phone UNKNOWN	Work Phone	
City Inkster			State MI	Zip 48141	Cell Phone UNKNOWN		Email		

Property:**5510 - Documents/Personal or Business (credit card documents, savings account books, titles, etc) 5448**

Property Class	IBR Type	UCR Type
48	48 - Documents/Personal or Business	K - Miscellaneous
Status		Count Value
E - Evidence (Including Other Seized Property And Tools)		1 1
Description bank document/ check stub	Disposition	Evidence Tag 210001957.001
Recovered Date/Time	Location	Owner

2102 - Bills/Money - Misc./Assorted 5420 [INSNYDERC (01765)]

Property Class	IBR Type	UCR Type
20	20 - Money	A - Currency, Notes, Etc...
Status		Count Value
B - Stolen/Etc. (Bribed/Defrauded/Embezzled/Ransomed/Etc.)		1200 1
Description \$1200	Disposition	Evidence Tag
Recovered Date/Time	Location	Owner [V35939904]

Narrative:**UNIT ASSIGNED:****173 Snyder 1765****DISPATCH INFORMATION:****Complaint initiated by the Chief of Police.****SUMMARY OF REPORT INFORMATION/NARRATIVE:****I met with the Mayor of the City of Inkster at the recreation center. The Mayor turned evidence**

CR No: 210001957-001 	Report Type: Crime Report	Officer: IMBNYDERC (01765)	001
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over to me. That evidence was a document related to embezzlement. That document was taken to the Inkster Police Department and placed in property.

INTERVIEW/CONTACT:

I met with Mayor Wimberly. Mayor Wimberly told me that he was at the Booker Dozier recreation center. While there, the mayor searched the office formerly occupied by Alex Legion. Alex Legion recently resigned from the City of Inkster as the Director of Parks and Recreation. The mayor found a half open envelope on a tray that was on the desk in the office. The mayor opened that envelope fully and removed the single document. The mayor saw that the document was possibly related to embezzlement being committed by Legion and called the Chief of Police. The Chief of Police then called me to meet with the mayor.

The mayor further explained to me that Legion recently resigned from his position. This resignation was the result of Legion allegedly using funds generated by the recreation center for personal use. The mayor stated that Legion would create contracts to rent out the rec center facility. Then instead of that money being turned over to the city, Legion would keep the money.

This reportedly took place four times for a total amount of \$1200 for the rental fees. The mayor stated that he spoke with Legion and asked him to turn over the \$1200 then resign. Per the mayor Legion did provide \$1200 and resigned from his position.

The mayor told me that the rental contracts were created using City of Inkster contracts. Three of those contracts were recovered and turned over to the city treasurer.

SCENE/OFFICER OBSERVATIONS:

As it relates to the newest document being found, I saw that it was a bill or memo that references an amount paid. The mayor presented the document to me and explained where he found it. That amount is for \$1500. The memo on the document states Event Facility Rental. The date on the document is 11/10/2020 and a date of the rental appearing to be 11/02/2020. Per the mayor the rec center was being used for an event on 11/02/2020. The top left corner of the document has BFPCC, Inc DBA Biden for President on it. Further the payment appears to be made to Signature Milestones, LLC with a listed address of 29158 Carlton Inkster MI 48141. The mayor told me that Signature Milestones, LLC is a business operated by Alex Legion.

A search using the entity name in LARA shows that the LLC has an address of 1927 Rosa Parks

CR No: 210001957-001 	Report Type: Crime Report	Officer: INBNEYDERC (01765)	:001
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suite 100 Detroit MI. A search using an individuals name shows that Alex Legion is the resident agent of Ashlar Real Estate also at 1927 Rosa Parks suite 100 Detroit.

The envelope that the document was found in was addressed to Signature Milestones LLC at 29158 Carlton Inkster MI. The return address listed is Biden For President P.O. Box 58174 Philadelphia, PA 19102. The envelope stamp was dated 14 Nov 2020.

PROPERTY/EVIDENCE TAKEN:

The described document and envelope were taken to the Inkster Police Department and placed in a temporary evidence locker.

STATUS:

Open, forwarded to the detective bureau.

Exhibit B: Inkster Parks and Rec Commission Request

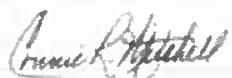
From: connie r mitchell <connieaka95@yahoo.com>
Sent: Friday, February 12, 2021 1:37 PM
To: Kim Howard; George Williams; LaGina Washington; Sandra Watley; Steven Chisholm; Dennard Shaw
Cc: Felicia Rutledge; Patrick Wimberly; Vijay Virupannavar; AB_David Jones; William Riley; William Ratliff; Shirley Hankerson; Ashawnna Butts; LEWanna Abney-Mitchell; Tania James; Antonio Wimberly
Subject: Request for Investigation
Attachments: Memo requesting A.Legion investigation2.doc

Greetings City of Inkster Elected Officials,
At a meeting of the city of Inkster Parks and Recreation Commission on February 11, 2012, members of the commission were asked to vote on a memo to be sent to you asking that you investigate the embezzlement of funds due to city of Inkster in relation to the use of the Booker Dozier Recreation Center. In a roll call vote, the yays were five (5) to send the request, Zero (0) nays and one (1) member abstaining.

Therefore, the attached document is being sent to you as a request for action in this matter. We will appreciate a response to the request as soon as possible. Thank you!

Submitted on behalf of the P&R Commission by

Shirley Hankerson, Chairperson



Connie R. Mitchell, Recording Secretary

To: Mayor Pro-Tem Kim Howard, Councilman George Williams, Councilwoman Sandra Watley, Councilman Dennard Shaw, Councilwoman LaGina Washington, Councilman Steven Chisholm of the city of Inkster, Michigan

FROM: City of Inkster Parks and Recreation Commission members Shirley Hankerson (Chairperson), Connie R. Mitchell (Recording Secretary), Ashawnna Butts, LeWanna Abney-Mitchell, and Antonio Wimberly

CC: City Clerk Felicia Rutledge, Mayor Patrick Wimberly, City Attorney David Jones, City Treasurer Vijay Virupannavar, Police Chief William Riley III, Assistant Chief of Police William Ratliff

DATE: February 12, 2021

SUBJECT: Request for Independent Investigation

We, the members of the Parks and Recreation Commission or We, the registered voters, homeowners, and taxpaying citizens of Inkster are not satisfied with the communication Mayor Patrick Wimberly provided on February 1, 2021 during a regular City Council meeting. Questions were raised about the misuse of public funds within the Parks and Recreation Department, as well as the prosecution of the past director, Alex Legion, who is suspected of embezzlement from the department's due revenue and was allowed to resign from his position and not terminated. Mayor Wimberly stated that he and the Chief of Police, William T. Riley III launched an investigation but decided that he should pay the money back. We contend that there was a grave miscarriage of justice for the city of Inkster in that the investigation did not result in definitive answers as to what are the true circumstances of the situation. We would like to know, through proper channels

1. What questions regarding the situation were investigated?
2. What was discovered?
3. Where is the investigation report?
4. Where is the police report?
5. Were the findings (if any) forwarded to the Wayne County Prosecutors office?

Based on statements from the Mayor on February 1, 2021, Mr. Alex Legion was not truly investigated for the crime he is alleged (and proven) to have committed by not depositing rental and other funds with the city Treasurer's office.

Per the Inkster City Charter Section 7.7, we formally request that the Inkster City Council launch its own investigation into this matter. We also ask that the Inkster City Council receive the results from the investigation, in writing, that was conducted by Chief William T. Riley, III, Mayor Patrick Wimberly, and any other participants not named by the Mayor or Police Chief.

If this body fails to act on the powers invested in them by the citizens of Inkster who elect you and voted for the current City Charter, we will have no choice but to hold you accountable and to contact the Michigan State Police, Wayne County Sheriff, Michigan Attorney General's office, and/or the F.B.I. with our suspicion of collusion, corruption, running a criminal organization out of City Hall, and misuse of public funds. In some cases, that leads to prosecution under the R.I.C.O. Act (Racketeer Influenced and Corrupt Organizations).

During this investigation we ask that the Inkster City Council seek assistance from the one of the aforementioned police agencies and not the Inkster Police Department nor Allen Brothers, PLLC. We do not want any conflict of interests to occur. We ask that the findings of the requested investigation are made known, but not limited to the public, the Wayne County Prosecutor's Office, the City Attorney, the Honorable Judge of the 22nd District Court and every employee and/or patron who may have been victimized.

We have rules and regulations in place to hold everyone accountable to the offices and public trust they hold. The council serves as the checks and balances of this city. If we fail to check these issues now, then we have no

governmental accountability as a city. This is an issue of principle and the fact that we have been, in our opinion, lied to and disrespected as officers of the city and residents, taxpayers and community advocates once again lies heavy with us. We trust that you will do your due diligence in finding answers and delivering facts.

Exhibit C: Police Department Blocked Post



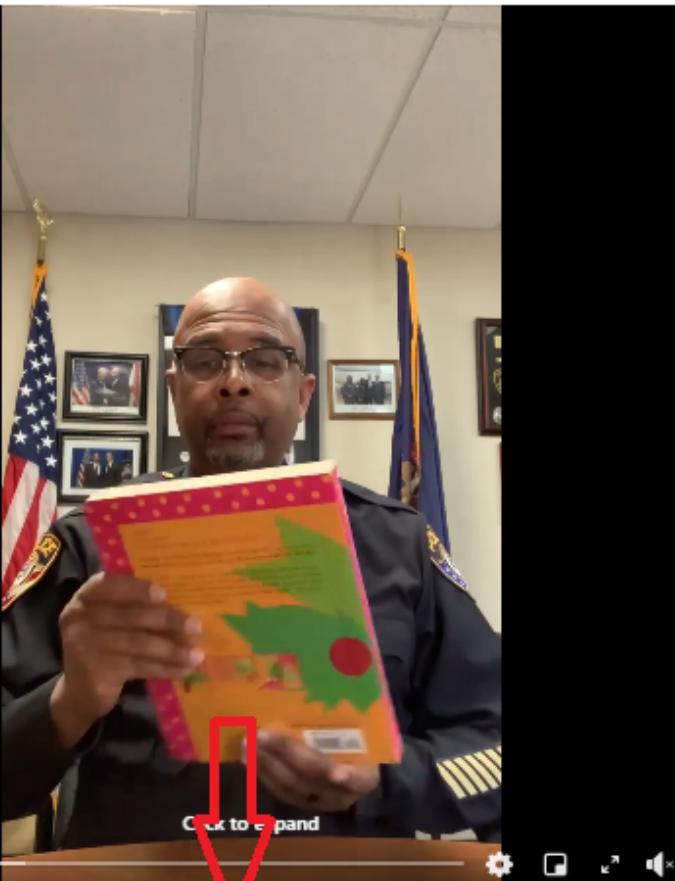
Inkster Police Department
March 17 at 3:08 PM ·

Case 2:21-cv-10628-LVP-EAS ECF No. 1, PageID.23 Filed 03/22/21 Page 23 of 36

As some of you may know, March is reading month! ☺

In previous years we have sent our officers to the local schools within Inkster to read to our students. The kids get such a joy out of listening to our officers read to them- and we enjoy it just as much as they do, if not more! 😊

This year unfortunately due to COVID, many schools are doing online learning only. Inkster PD has come together to record ourselves reading children's books so that parents, friends, and family can see... See More



0:15 / 4:57

21

7 Comments 9 Shares

Share

Most Relevant ▾



Author

Inkster Police Department
Stay tuned! We will be posting more videos of officer's reading different books over the next few days. We hope the kids enjoy them!!

1

Incident Date: 03/17/21 - Time: 4:18pm - Location: Celerti (Inkster & Michigan Ave)
The Inkster Police is requesting the public's assistance in the identification of this individual wanted for armed robbery. The suspect is described as a black male wearing black pants, grey hooded sweatshirt, wheat colored Timberland boots, black hat, and a blue surgical style mask. Suspect was last seen driving a dark colored mini van.
If you have any information please contact:
Detective Lebo
313-400-5387 - alebo@cityoffinkster.com
Any tips can remain anonymous

12

29 Shares

Like

Comment

Share



Inkster Police Department

...

March 17 at 3:08 PM ·

As some of you may know, March is reading month! ☺
In previous years we have sent our officers to the local schools within Inkster to read to our students. The kids get such a joy out of listening to our... More



21

7 Comments 9 Shares

Like

Comment

Share

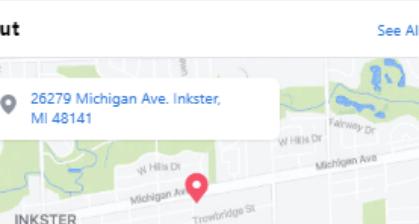
Exhibit D: Police Department Blocked Access



Inkster Police Department
@inksterpolice • Police Station



Videos Photos Events More ▾



This page is managed by the Inkster Police and was developed to assist us in providing the highest level of service possible in our community.

Please Read Before Posting!

The City of Inkster requires that all users of any of the City's Facebook Fan Pages conduct themselves civilly – refrain... See More

631 people like this including 8 of your friends



864 people follow this

31 people checked in here

<http://www.cityofinkster.com/>

Inkster Police Department
6h ·

Posted below are two links that may be helpful:
The first one is a link to "COVID Emergency Rental Assistance"-
<https://www.waynemetro.org/cera/> ... See More

Lakeshore Legal Aid
Eviction Diversion Screencast

LAKESHORE
LEGAL AID

YOUTUBE.COM
Eviction Diversion Webcast by Lakeshore Legal Aid

Xfinity Mobile 4:48 PM

AA facebook.com

Inkster Police Department - Home

Inkster Police Department
Police Station

Call Now

Like

Jasmynne, Bennie, China and 2,628 others like this

Home Posts Videos Photos Events A

About Suggest Edits

< >

Exhibit E: City of Inkster Police Department Social Media Policy



Inkster Police Department

@inksterpolice · Police Station

26279 Michigan Ave. Inkster,
MI 48141

GENERAL

2,631 people like this including 8 of your friends



2,864 people follow this

431 people checked in here

Police Station · Law Enforcement Agency · Government Organization

HOURS

Always Open

ADDITIONAL CONTACT INFO



(313) 563-9850

[MORE INFO](#)

About

This page is managed by the Inkster Police and was developed to assist us in providing the highest level of service possible in our community.



Inkster Police Department



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Additional Information

Please Read Before Posting!

The City of Inkster requires that all users of any of the City's Facebook Fan Pages conduct themselves civilly – refraining from inappropriate language or comments or those that could be deemed abusive, discriminatory, inflammatory or lewd. The City assumes no responsibility for the content of comments posted by users and does not endorse any opinions posted by third parties.

The City of Inkster reserves the right, at our sole discretion, to:

- Block users or remove comments if the content posted is deemed harassing, threatening, potentially libelous, false, misleading, obscene or otherwise inappropriate;
- Block users or remove comments if the content posted promotes private businesses, political affiliations, ideologies or positions, or any other third-party advertisements, sales or promotions;
- Use comments posted on our page in any manner, including — but not limited to — publication in online or in print, along with information identifying you as the author, including full name and/or Facebook screenname;
- Retain and disclose submitted content if required by law to do so;
- Change these terms or impose new conditions on our page's use at any time.

By using our page, you represent and agree that:

- You have read and agree to abide by the aforementioned conditions;
- You are the owner of any material you post;
- The materials you post will not violate the rights of nor cause injury to others, including people and entities;
- You will indemnify and hold harmless the City of Inkster from and against any liability arising from such materials.

Welcome to the Inkster Police Department's Facebook Page!

This page was developed to assist us in providing the highest level of service possible in our community. The hope is that this page will provide an avenue to communicate between the public and the police on breaking news or need to know issues that impact the fine citizens of Inkster.

The men and women of the Inkster Police Department are proud to serve the residents and visitors of our city. Our highest priority is to protect them against the criminal activities of others and to enhance their sense of security, safety and well being.

Our department is committed to excellence by providing professional law enforcement services in accordance with the law, while being sensitive to the needs of the community.

I encourage you to contact us if you have a safety concern or if you feel that you need our services.

I hope your visit to this page will be beneficial.

We welcome your suggestions and/or comments on how well it serves your needs. [See Less](#)



Exhibit F: Mayor Wimberly Blocked Post Comparison

Patrick Wimberly-Mayor City of Inkster
February 15 ·

Please share



...

1 Comments

Share

Most Relevant ▾



PJ Jones
Please share <https://www.freep.com/.../inkster-official.../4506214001/>



4w

FREEP.COM

Police investigating whether Inkster official pocketed rent from Biden campaign event

i

1 Comments

Like

Comment

Share

Most Relevant ▾



Write a comment...



PJ Jones
Please share <https://www.freep.com/.../inkster-official.../4506214001/>



FREEP.COM

Police investigating whether Inkster official pocketed rent from Biden campaign event

i



Patrick Wimberly-Mayor City of Inkster
February 13 ·

...

Patrick Wimberly-Mayor City of Inkster
February 13 ·



Patrick Wimberly-Mayor City of Inkster
February 13 ·

...



Exhibit G: Mayor Wimberly Blocked Access Comparison



Case 2:21-cv-10628-LVP

STAY SAFE

Discover, Grow, Unite.

You are not in this alone, I am confident that we will work through this together as a community.

- Major Patrick Wimberly



Patrick Wimberly-Mayor City of Inkster

@winningwithwimberly · Politician

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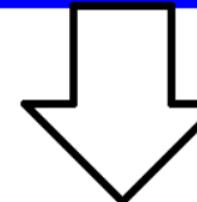
...

Discover. Grow. Unite.

#InksterWeAreAllINThisTogether

You are not in this alone, I am confident that we will work through this together as a community.

- Major Patrick Wimberly



Patrick Wimberly-Mayor City of Inkster

@WinningWithWimberly · Politician

Learn More

inkstermayorwimberly.com



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Like



Message



...

Exhibit H: Plaintiff March 1st email to City Attorney



Charles Blackwell <cblack618@gmail.com>

INKSTER SOCIAL MEDIA AND PUBLIC FORUM ISSUE

Charles Blackwell <cblack618@gmail.com>

Mon, Mar 1, 2021 at 11:56 AM

To: David Jones <djones@allenbrotherspllc.com>, Matthew Wayne <mwayne@allenbrotherspllc.com>, npioch@allenbrotherspllc.com

Hello Attorney Jones:

I would like to speak with you regarding a First Amendment matter. I intend to interact and post and comment on City of Inkster officials municipal social media pages such as Facebook and Instagram.

I am proactively bringing this to your attention so that there won't be any problems. The Federal Circuit has held that public officials facebook and instagram pages are public forums subject to protections of the First Amendment. This means that Inkster officials should not block me from their pages nor are they allowed to delete or censor my critical viewpoint.

Also, since this is a public forum city officials will have no viable reason to use the frequently tossed around "harassment" word.

I am just informing you to prevent a problem in the future. If Inkster officials were to block me due to my critical viewpoint it would be a First Amendment violation.

You have my cell phone number of 313 739 3597 if you would like to discuss this further.

<https://www.aclu.org/blog/free-speech/internet-speech/court-rules-public-officials-cant-block-critics-facebook>

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Charles Blackwell

(b) County of Residence of First Listed Plaintiff Wayne

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS

City of Inkster and Patrick Andre Wimberly

County of Residence of First Listed Defendant Wayne

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

<input type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
(For Diversity Cases Only)

Citizen of This State	PTF	DEF	Citizen of Another State	PTF	DEF
<input checked="" type="checkbox"/> 1	<input checked="" type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input checked="" type="checkbox"/> 4	<input checked="" type="checkbox"/> 4	
			<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State
			<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability		<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 330 Federal Employers' Liability		<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	PERSONAL PROPERTY		<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 370 Other Fraud		<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 371 Truth in Lending		<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 380 Other Personal Property Damage		<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 385 Property Damage Product Liability		<input type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 195 Contract Product Liability				<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 196 Franchise				<input type="checkbox"/> 850 Securities/Commodities/ Exchange
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	SOCIAL SECURITY	
<input type="checkbox"/> 210 Land Condemnation	<input checked="" type="checkbox"/> 440 Other Civil Rights	Habeas Corpus:	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 890 Other Statutory Actions
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 530 General	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 896 Arbitration
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	Other:		<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 540 Mandamus & Other		<input type="checkbox"/> 950 Constitutionality of State Statutes
		<input type="checkbox"/> 550 Civil Rights		
		<input type="checkbox"/> 555 Prison Condition		
		<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		
FEDERAL TAX SUITS				
			<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	
			<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	
IMMIGRATION				
			<input type="checkbox"/> 462 Naturalization Application	
			<input type="checkbox"/> 465 Other Immigration Actions	

V. ORIGIN (Place an "X" in One Box Only)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from Another District (specify)	<input type="checkbox"/> 6 Multidistrict Litigation - Transfer	<input type="checkbox"/> 8 Multidistrict Litigation - Direct File
---	---	--	---	--	--	---

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 USC 1983**VI. CAUSE OF ACTION**

Brief description of cause:

First Amendment

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION
UNDER RULE 23, F.R.Cv.P.

DEMAND \$

75,000.00

CHECK YES only if demanded in complaint:

JURY DEMAND: Yes No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE _____

DOCKET NUMBER _____

FOR OFFICE USE ONLY

RECEIPT # _____

AMOUNT _____

APPLYING IFP _____

JUDGE _____

MAG. JUDGE _____

SIGNATURE OF ATTORNEY OF RECORD

/s/Charles Blackwell